

Senate File 469 - Enrolled

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SENATE FILE 469

AN ACT

CONCERNING FINANCIAL AND REGULATORY MATTERS, INCLUDING BY
PROVIDING FOR THE SALE OF MOTOR HOMES BY A MANUFACTURER
AT A CAMPING RALLY SPONSORED AND CONDUCTED BY THE
MANUFACTURER AND PROVIDING FOR APPLICABILITY TO A PILOT
PROJECT, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.18, Code 2007, is amended by adding
the following new subsection:

NEW SUBSECTION. 9. A motor home purchased by a
nonresident at a rally in this state pursuant to section
322E.2, which is driven on a highway solely for the purpose of
removing the motor home from the state.

Sec. 2. NEW SECTION. 322E.1 DEFINITIONS.

As used in this chapter, unless the context otherwise
requires:

1. "Department" means the state department of
transportation.

2. "Class A motor home", "class B motor home", and "class
C motor home" mean the same as defined in section 321.124.

3. "Manufacturer" means a motor home manufacturer licensed
under chapter 322.

4. "Nonresident" means a person who is not a resident of
this state.

Sec. 3. NEW SECTION. 322E.2 MOTOR HOME MANUFACTURER'S
CLUB RALLY == RETAIL SALES OF MOTOR HOMES.

1. Notwithstanding chapter 322, a manufacturer of class A
motor homes that sponsors a club composed of owners of motor
homes manufactured by the manufacturer may display and sell
new class A motor homes manufactured by the manufacturer at a
rally of those club members if all of the following conditions
apply:

a. The rally is sponsored and conducted by the
manufacturer.

b. The rally is held on the grounds of a county fair as
described in chapter 174.

c. The manufacturer conducts no more than one rally
annually in this state.

d. The rally is conducted for a single period of not more
than seven consecutive days.

e. The rally is not open to the public.

f. Attendance at the rally is restricted to bona fide
members of the club sponsored by the manufacturer and the
members' immediate families.

g. Persons who attend the rally camp on the fairgrounds
where the rally is held in their respective motor homes
manufactured by the manufacturer sponsoring and conducting the
rally.

h. Sales of class A motor homes are made by the
manufacturer only to nonresident attendees of the rally who
meet the requirements of paragraphs "f" and "g".

2. Notwithstanding chapter 322, a manufacturer of class A
motor homes that sponsors and conducts a rally as provided in
subsection 1 may accept trade-ins of used motor homes
manufactured by the manufacturer from attendees of the rally
who meet the requirements of subsection 1, paragraphs "f" and
"g" who purchase from the manufacturer a new class A motor
home manufactured by the manufacturer. A manufacturer may
sell or trade such a used motor home acquired from a purchaser
in trade at the rally, provided that the manufacturer has in
its possession at the rally the certificate of title to the
motor home, assigned to the manufacturer. A manufacturer
shall not sell or trade, at a rally, a used motor home
acquired from a purchaser in trade at the rally to any person
other than a nonresident attendee who meets all of the
requirements of subsection 1, paragraphs "f" and "g".

3. A manufacturer of class A motor homes shall provide
notice to the department not less than ninety days prior to
the beginning date of a rally to be sponsored and conducted by

3 4 the manufacturer. The notice shall be in a form and contain
3 5 such information as may be required by the department.
3 6 4. An Iowa certificate of title and registration shall not
3 7 be issued for a motor home sold by a manufacturer at a rally
3 8 pursuant to this section.
3 9 5. A motor home sold by a manufacturer at a rally pursuant
3 10 to this section may be operated or moved on the highways of
3 11 this state only for the purpose of removing the motor home
3 12 from the state, as provided in section 321.18, subsection 9.
3 13 6. Notwithstanding chapter 322, a manufacturer of class A
3 14 motor homes that sponsors and conducts a rally as provided in
3 15 subsection 1 may display but not sell at the rally new class B
3 16 and class C motor homes manufactured by the manufacturer.
3 17 Sec. 4. NEW SECTION. 322E.3 FUTURE REPEAL.
3 18 This chapter is repealed June 30, 2012.
3 19 Sec. 5. The sections of 2007 Iowa Acts, Senate File 403,
3 20 amending section 260C.14, subsection 6, and section 313.2,
3 21 unnumbered paragraph 5, if enacted, are repealed.
3 22 Sec. 6. TEMPORARY APPLICABILITY == CLAY COUNTY PILOT
3 23 PROJECT.
3 24 1. For the period beginning July 1, 2007, and ending June
3 25 30, 2012, this Act applies only to motor home manufacturer's
3 26 club rallies held on the grounds of the county fair in Clay
3 27 county, provided that not more than one such rally shall be
3 28 held in Clay county annually during the five-year pilot
3 29 project. The Clay county fair board shall report to the
3 30 senate and house standing committees on transportation on or
3 31 before December 31 annually during the five-year period
3 32 regarding any rally held at the fairgrounds during the year or
3 33 any other information relevant to the pilot project.
3 34 2. The Clay county fair board shall inform the department
3 35 of transportation of any suspected violation of the sales
4 1 provisions of this Act brought to the attention of the board.
4 2 Upon receiving information regarding a transaction
4 3 constituting a possible violation of this Act, the department
4 4 shall investigate the claim to determine whether evidence
4 5 exists proving that a violation occurred. If the department
4 6 determines from the investigation that a violation occurred,
4 7 the department shall report the substantiated violation to the
4 8 Clay county fair board and shall send a copy of the report to
4 9 the senate and house standing committees on transportation.
4 10 Upon receiving a report from the department of a substantiated
4 11 violation of this Act, the Clay county fair board shall not
4 12 permit any future rally to be conducted on the fairgrounds by
4 13 a motor home manufacturer.
4 14 Sec. 7. EFFECTIVE DATE. The section of this Act repealing
4 15 sections of 2007 Iowa Acts, Senate File 403, if enacted, being
4 16 deemed of immediate importance, takes effect upon enactment.
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4 21 JOHN P. KIBBIE
4 22 President of the Senate
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4 25 PATRICK J. MURPHY
4 26 Speaker of the House
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4 28 I hereby certify that this bill originated in the Senate and
4 29 is known as Senate File 469, Eighty-second General Assembly.
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4 33 _____
4 34 MICHAEL E. MARSHALL
4 35 Secretary of the Senate

4 35 Approved _____, 2007

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5 5 CHESTER J. CULVER
5 5 Governor